

RESOLUTION NUMBER R- 295055

ADOPTED ON JUN 19 2001

WHEREAS, the Council of the City of San Diego has considered the issues discussed in Mitigated Negative Declaration LDR File No. 99-0700; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR File No. 99-0700, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.); that the Mitigated Negative Declaration reflects the independent judgment of the City of San Diego as Lead Agency; and that the information contained in the Mitigated Negative Declaration, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the construction of the Point Loma South Access Road.

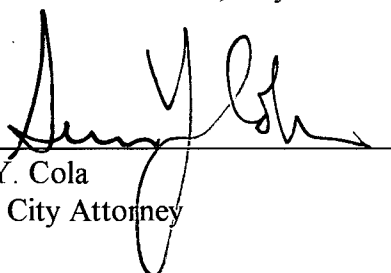
BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the above project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By



Susan Y. Cola
Deputy City Attorney

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06/05/01
Or.Dept:MWWD
MWD-1178
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

South Access Road Improvements

LDR No. 99-0700

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101.

MITIGATION, MONITORING AND REPORTING PROGRAM

Biological Resources

The following mitigation measures are required to reduce adverse project impacts to biological resources to below a level of significance:

- a. Prior to the preconstruction meeting, impacts to 0.78 acre of maritime succulent scrub and 0.16 acre of non-native grassland shall be mitigated in accordance with the City's Biology Guidelines, to the satisfaction of the City Manager, such as through the Metropolitan Wastewater Department's Otay Mesa Habitat Mitigation bank.
- b. Impacts to snake cholla within the MHPA shall be avoided. All snake cholla located within the MHPA which are within or adjacent to the project area shall be clearly marked on the construction drawings as sensitive resources to be avoided. Prior to the preconstruction meeting, a qualified biologist shall flag all snake cholla within the MHPA which are within or adjacent to the project area. Impacts to these individuals shall be avoided during all construction activities.
- c. Impacts to snake cholla outside of the MHPA shall be avoided where possible. All snake cholla to be avoided and to be transplanted shall be clearly marked on the construction drawings. Prior to preconstruction meeting, a qualified biologist shall flag all snake cholla outside the MHPA, for which direct impacts are deemed unavoidable. Unavoidable impacts to snake cholla outside the MHPA shall be mitigated through transplantation to areas identified for preservation. This mitigation and monitoring requirement shall be contained in the contract specifications.

1. Snake cholla shall be transplanted by a qualified biologist. The biologist shall submit a monitoring report indicating the success or failure of the transplantation at least one year after any necessary initial irrigation has ceased.
 2. In the event that transplantation efforts do not fully succeed, all plant material that did not survive shall be replaced in kind. Any replaced individuals shall be subject to the same monitoring requirements contained in c.1. above.
- d. All lighting shall be directed away from the MHPA, and/or appropriately shielded, if work is to occur at night to avoid intrusion into the MHPA.